In re Patent Application: Lee et al.

Serial No.: 10/022,678

Filing Date: December 17, 2001

Group Art Unit: 1614

Examiner: J. Goldberg

For: 1,2,4-BENZOTRIAZINE OXIDES AS RADIOSENSITIZERS AND SELECTIVE

CYTOTOXIC AGENTS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 C.F.R. 1.8(a)

AND STATE OF

I hereby certify that this correspondence is being deposited on the date indicated below with the United States Postal Service as first class mail addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

SRI International, the owner of one-hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any of prior U.S. Patent Nos. 5,827,850 and 6,153,610. The owner hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any of prior U.S. Patent Nos. 5,827,850 and 6,153,610 as presently shortened by any terminal disclaimer, in the event that any of said patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims

to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Owner furthermore does not disclaim any extension of the term of any patent granted on the instant application that may be obtained under the provisions of 35 U.S.C. §§ 154-156.

Please deduct the fee of \$110 required by 37 C.F.R. §1.20(d) from Deposit Account No. 19-0091. A duplicate copy of this letter is transmitted herewith for this purpose.

Dated:

Sanofi-Synthelabo, Inc. Patent Department 9 Great Valley Parkway P.O. Box 3026 Malvern, PA 19355

Telephone.: (610) 889-6338

Fax: (610) 889-8799

Respectfully submitted,

Paul E. Dupont

Registration No. 27,438